

UNITED STATES OF AMERICA

v.

**Manning, Bradley E.  
PFC, U.S. Army,  
HHC, U.S. Army Garrison,  
Joint Base Myer-Henderson Hall  
Fort Myer, Virginia 22211**

**Prosecution Request  
for Leave until 10 December 2012  
to Provide Detailed Plan for  
Maintaining Appellate Exhibits**

**25 October 2012**

1. The United States requests leave of the Court until 10 December 2012 to set forth a detailed plan for maintaining the classified appellate exhibits (AEs) that will not accompany the record of trial. During a telephonic RCM 802 conference on 5 October 2012, the Court instructed the United States to present a plan to the Court to maintain classified AEs not accompanying the record of trial (ROT) in one location under the custody of one custodian with a systematic periodic review to ensure accountability of the AEs through any appellate review. See Enclosure (email from the Court summarizing the telephonic RCM 802 conference).

2. The United States is in the process of completing a coordinated plan with the Clerk of Court and the entities owning the classified AEs not accompanying the ROT to ensure that the AEs are maintained and their whereabouts systematically reviewed regardless of personnel changes. Based on the coordination necessary between the entities owning the AEs and with the entities maintaining the ROT, the United States needs additional time to finalize a plan that is detailed enough to ensure proper accountability and is acceptable to all interested parties.

3. This request will not necessitate a delay in the proceedings as the continued effort to finalize a course of action will occur concurrently with the scheduled pretrial motions process and, in the meantime, all AEs will be maintained with the current points of contact and tracked by the United States. There will, therefore, be no prejudice to the defense.



ASHDEN FEIN  
MAJ, JA  
Trial Counsel

I certify that I served or caused to be served a true copy of the above on Mr. David Coombs, Civilian Defense Counsel via electronic mail, on 25 October 2012.



ASHDEN FEIN  
MAJ, JA  
Trial Counsel

Encl  
Court Email, dated 5 Oct 12